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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/287,296	04/07/1999	YEOGIRL YUN	20991.701	3718
64313	7590	07/26/2007		
NIXON PEABODY LLP 401 9TH STREET, NW WASHINGTON, DC 20004			EXAMINER HAVAN, THU THAO	
			ART UNIT 3691	PAPER NUMBER
			MAIL DATE 07/26/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/287,296

Applicant(s)

YUN ET AL.

Examiner

Thu Thao Havan

Art Unit

3691

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-7,9-21 and 23-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-7, 9-21,25,26,29-32 and 34 is/are rejected.
- 7) ☒ Claim(s) 23,24,27,28 and 33 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

Response to Arguments

In view of the Appeal Brief filed on March 28, 2007, PROSECUTION IS HEREBY REOPENED. The new non-final office action set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Objections

Claims **23-24, 27-28**, and **33** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Re claims 23-24, 27-28, and 33, Bowen and England do not teach a pre-condition regular expression, a portion of data of interest regular expression, and a post-condition regular expression and wherein said developing comprises refining at least one of said pre-condition regular expression, said portion of data of interest regular expression, and said post-condition regular expression.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims **1-2, 4-7, 9-21, 25-26, 29-32, and 34** are rejected under 35 U.S.C. 103(a) as being unpatentable over Bowen et al. (US 6,094,649) in view of England (US 6,144,991).

Re claims **1, 18, 21, and 32**, Bowen teaches a method of extracting data of interest from a plurality of web sites (col. 2, lines 30-46; col. 1, lines 5-10), the method comprising:

A) for each respective web site W in said plurality of web sites (fig. 4),

(i) creating a respective description of data of interest that identifies the web site W (col. 2, lines 47-66);

(ii) developing an extraction pattern from a web page output from the respective web site using a graphical user interface tool, the extraction pattern being adapted to identify at least a portion of an output of a web site and to extract information from a plurality of web pages of the respective web site W (col.12, lines 5-34); and

(iii) associating the developed extraction pattern with the respective description of data of interest for the respective web site W (col. 11, lines 45-67; col. 12, lines 5-22);

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B) receiving a value for use as an extraction parameter for the developed extraction patterns (col. 12, lines 35-65); and

C) obtaining said data of interest by querying web sites in the plurality of web sites using the value and the extraction patterns associated with the respective descriptions of data of interest, wherein when the data of interest includes data of interest from at least two web sites of the plurality of web sites, the data of interest from the at least two web sites is extracted (col. 11, lines 35-44; col. 2, line 5 to col. 3, line 12; col. 3, line 45 to col. 4, line 3). *In other words, Bowen discloses documents send to the user interface to be displayed on a screen as part of a graphical user interface. In that, HTML web pages are extracted by a web server. In addition, Web crawlers and other network-roaming agents index the pages at sporadic intervals. After a given page is posted to the network, considerable time may pass before an agent encounters and indexes the page. A given index often points to information at numerous sites. The same page may be indexed in different ways by different agents.*

However, Bowen does not explicitly teach developing an extraction pattern based on output from the respective web site using a graphical user interface tool. Nevertheless, Bowen discloses using a graphical user interface for sending documents (col. 12, lines 29-34). On the other hand, England discloses developing an extraction pattern based on output from the respective web site using a graphical user interface tool (col. 2, line 65 to col. 3, line 25). England discloses browser usually has a graphical user interface (GUI) that displays the information in a graphical form or text only on the user's PC system. In addition, he discloses the GUI of the browser allows the user to pick commands, start programs, and view documents or other options by selecting from windows, icons, links,

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and menus on the display screen. For example, a user can type queries (i.e. words or phrases) into search engines, follow ideas from one document to another using links, type a URL in the location bar and hit the enter key, select an item from one of a series of menus located on the browser (such as select a bookmark or select a Web site or Web page from the history list). Thus, it would have been obvious to one of ordinary skill in the art to include graphical user interface (GUI) in a browser to extract information in a pattern format as discloses in England.

Re claims **2, 5, 7, and 20**, England teaches graphical user interface tool includes a web browser (fig. 24).

Re claims **4 and 9-17**, Bowen teaches applying the extraction pattern to the output of the web site that is displayed in a source view in the web browser thereby identifying the at least a portion of the output for the web site; and displaying a rendered version of the at least a portion of the output of the web site (col. 13, lines 5-52).

Re claims **6 and 25-26**, Bowen teaches plurality of predefined extraction patterns includes at least one of an extraction pattern for matching a hyperlink, an extraction pattern for matching a form, and an extraction pattern for matching a price (col. 1, lines 47-58; col. 10, lines 23-36).

Re claim **19**, Bowen teaches developing an extraction pattern includes means for selecting an instruction from a predetermined list of instructions (col. 7, lines 30-50; fig. 1).


Re claims **29-31 and 34**, Bowen teaches data of interest is information associated with a product or information associated with a service (figs. 2-3). *Bowen discloses data of interest includes information associated with a service to extract data.*

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Thao Havan whose telephone number is (571) 272-8111. The examiner can normally be reached during her flextime schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct-uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).


Thu Thao Havan
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7/22/07